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Freedom in the World 2009 - Kuwait

Capital: Kuwait City
Population: 2,700,000

Political Rights Score: 4
Civil Liberties Score: 4
Status: Partly Free

Overview

Kuwait's emir dissolved the National Assembly amid rising political tensions in March 2008. The following month, the government passed and then quickly revoked a new law banning public assemblies and demonstrations. Islamist and tribal groups captured 45 out of 50 seats in the May parliamentary elections, and no women were elected. In October, Kuwait's two female cabinet ministers came under fire from Islamist lawmakers for not wearing the *hijab* (headscarf). In November, the prime minister submitted his and the cabinet's resignation as a result of parliamentary pressure.

For more than 200 years, the al-Sabah dynasty has played a role in ruling Kuwait. A year after the country gained its independence from Britain in 1961, a new constitution gave broad powers to the emir and created the National Assembly. Iraqi forces invaded in August 1990, but a military coalition mandated by the United Nations and led by the United States liberated the country in February 1991.

Emirs have suspended the National Assembly two times, from 1976 to 1981 and from 1986 to 1992. After its restoration in 1992, the parliament played an active role in monitoring the emir and the government, often forcing cabinet ministers out of office and blocking legislation proposed by the ruling family. However, the legislature has also served as an impediment to progressive political change by rejecting measures on women's rights and economic reform.

After 28 years of rule, Sheikh Jaber al-Ahmad al-Sabah died in 2006. Despite fears of a contentious succession process, the cabinet and parliament removed his heir for health reasons and elevated Sheikh Sabah al-Ahmad al-Sabah, the half-brother of the previous emir, as the new emir.

Parliamentary elections held in 2006 were the first to include women, who had won the right to vote and run for office the year before. However, none of the 27 female candidates secured seats. A coalition of liberals, Islamists, and nationalists campaigning against corruption won 35 of the 50 seats. In 2007, continued pressure from the

legislature to end government corruption forced two prominent cabinet ministers to resign.

In March 2008, the emir dissolved the parliament as a result of escalating political tensions between lawmakers and the cabinet; members of parliament continued to press for the power to question cabinet members on corruption and the performance of public services. In the elections that followed in May, Sunni Islamists won 21 seats; representatives of Kuwait's main tribes, including liberal members, won 24 seats; and Shiites won 5 seats. While 27 women again ran as candidates, none were elected. More than 360,000 voters, or about 70 percent of the eligible electorate, turned out for the balloting. The new cabinet appointed by the emir included two women and two Shiites.

In November 2008, members of the salafi bloc in parliament demanded the right to question the prime minister, Nasser al-Sabah, a nephew of the emir, on charges of corruption and outrage over the government's decision to allow Muhammad al-Fali, an Iranian Shiite cleric, to enter the country. Al-Fali was arrested upon entry based on claims that he insulted Sunni tradition. Although he was subsequently released, the official charges remained in place through the end of the year. As a result of parliamentary anger, the prime minister submitted his and the cabinet's resignation in November. While the emir accepted the cabinet's resignation in December, he reappointed his nephew to the post of prime minister and called on him to form a new cabinet, signaling that government-parliament tensions would carry over into 2009.

Kuwait, which holds about 10 percent of the world's proven oil reserves, enjoyed high rates of economic growth for much of 2008. The collapse of oil prices late in the year, however, raised alarms about future economic stability and prosperity. Oil dominates the economy, accounting for nearly 90 percent of public revenues.

Political Rights and Civil Liberties

Kuwait is not an electoral democracy. The ruling family largely sets the policy agenda and dominates political life. The emir has overriding power in the government system and appoints the prime minister and cabinet. Under the constitution, the emir shares legislative power with the 50-member National Assembly, which is elected to four-year terms by popular vote. The electorate consists of men and women over 21 years of age who have been citizens for at least 20 years; members of most security forces are barred from voting. The 2008 parliamentary elections were the first held under a 2006 law that reduced the number of multimember electoral districts from 25 to 5. The old system had been criticized for allowing corruption and manipulation, spurring a May 2006 protest movement in favor of the reform. The emir has the authority to dissolve the National Assembly at will but must call elections within 60 days. The parliament can overturn decrees issued by the emir while it was not in session. It can veto the appointment of the country's prime minister, but then it must choose from three alternates put forward by the emir. The parliament also has the power to remove government ministers with a majority vote.

Formal political parties are banned, but political groupings, such as parliamentary blocs, have been allowed to emerge. In 2005, a group of Islamists announced the formation of the Umma Party, prompting the government to interrogate its leaders and impose a travel ban on 15 of its top members. A week after the emir dissolved the parliament in March 2008, police arrested eight members of the prominent Mateer tribe for organizing primary-style elections to determine their representatives for the national elections in May. The arrests prompted public protests and violent clashes between police and the demonstrators. Thousands of tribe members protested again in May.

Corruption has been a dominant political issue in recent years, with lawmakers placing considerable pressure on the government to tackle the problem. Kuwait was ranked 65 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

While a 2006 press law requires officials to obtain a court order to close newspapers,

the authorities continue to limit criticism and debate on politics in the press. In March 2008, the government revoked the licenses and fined the editors of the weekly newspapers *Al-Abraj* and *Al-Shaab* for criticizing the prime minister and commenting on politics. Kuwait has more than 10 daily and weekly Arabic newspapers and two English-language dailies. The state maintains a significant presence in the broadcast media, with four television stations and nine radio stations. There are also a number of private outlets, including the satellite television station Al-Rai. Foreign media outlets work relatively freely in Kuwait. Kuwaitis have access to the internet, though the government has instructed internet service providers to block certain sites for political or moral reasons. In August 2008, the public prosecutor confirmed that his office was finalizing a bill that would "criminalize the promotion of immoral conduct, encouraging antigovernment sentiments, divulging state secrets, or insulting Islam online;" the bill had not passed as of year's end.

Islam is the state religion, but religious minorities are generally permitted to practice their faiths in private, and Christian churches operate freely. Shiite Muslims, who make up around a third of the population, enjoy full political rights but are subject to some discrimination and harassment. In February 2008, the security services summoned 1,500 people, mostly Shiites, who had participated in a public mourning event for Imad Mugniya, a slain leader of the Lebanese Shiite militant group Hezbollah. Two Shiite members of parliament faced criticism for joining in the ceremony.

Academic freedom is generally respected. Kuwait has a tradition of allowing relatively open and free private discussion, often conducted in traditional gatherings (*diwaniyat*) that usually include only men.

The government imposes constraints on freedoms of assembly and association, although those rights are provided by law. In 2006, a court ruling removed 27-year-old restrictions on freedom of assembly; Kuwaitis must notify authorities of a public meeting or protest, but they no longer need a permit. In April 2008, the government issued a decree outlawing public assemblies and demonstrations, including some *diwaniyat*, but the measure was quickly rescinded under popular pressure.

The government routinely restricts the registration and licensing of associations and nongovernmental organizations (NGOs), forcing dozens of groups to operate without legal standing or state assistance. The Kuwait Human Rights Society was not officially recognized until 2004, a decade after it was founded. Representatives of licensed NGOs must obtain government permission to attend foreign conferences on behalf of their organizations. Workers have the right to join labor unions, but the country's labor law mandates that there be only one union per occupational trade.

Kuwait lacks an independent judiciary. The emir appoints all judges, and the executive branch approves judicial promotions. Authorities may detain suspects for four days without charge. The Ministry of the Interior supervises the main internal security forces, including the national police, the Criminal Investigation Division, and Kuwait State Security. The government permits visits to prisons by human rights activists, who report adherence to international standards, though with some concern about overcrowding.

Stateless residents, known as *bidoon*, are estimated to number between 90,000 and 130,000. They are considered illegal residents, do not have full citizenship rights, and often live in wretched conditions. Kuwait is a destination country for human trafficking, with many people coming from Bangladesh, India, Pakistan, the Philippines, and Sri Lanka. In July 2008, over 5,000 Bangladeshi workers in government ministries went on strike over poor wages. Many complained that they had not been paid in over six months. Both male and female citizens have the right to own property and establish businesses.

The 1962 constitution provides men and women with equal rights. Nevertheless, women face discrimination in several areas of law and society and remain underrepresented in the workforce. While women are offered some protection from abuse and discrimination under Kuwaiti law, they are only permitted to seek a divorce in cases where they have

been deserted or subject to domestic violence, are required to have a male guardian in order to marry, and are eligible for only one half of their brother's inheritance. Domestic abuse and sexual harassment are not specifically prohibited by law, and foreign domestic servants remain particularly vulnerable to abuse and sexual assault. Kuwait is a destination country for the trafficking of women. In January 2008, the minister of education, Nuriya al-Sabeeh, survived a no-confidence vote in the National Assembly after Islamist lawmakers accused her of mismanagement and of failing to uphold Islamic values. In October, Islamist deputies leveled new charges against al-Sabeeh and Mudhi al-Humud, the state minister for housing and administrative development, arguing that they violated Islamic regulations by choosing not to wear the *hijab* (headscarf); the prime minister resisted parliamentary pressure to dismiss them from their posts. Separately, liberal lawmakers in February submitted a draft bill to end gender segregation in Kuwait's education system; no formal changes had been enacted by year's end. The country's public schools have been segregated since 2001. Private schools have yet to implement a 2000 law requiring segregation. Women comprise more than 60 percent of the student body at several leading universities in Kuwait. Kuwaiti women have the right to vote and run as candidates in parliamentary and local elections. They made up 55 percent of the voters who turned out for the 2008 parliamentary elections.

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